

109TH CONGRESS  
2D SESSION

# H. R. 6285

To amend title 49, United States Code, to expand passenger facility fee eligibility for noise compatibility projects.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2006

Ms. HARMAN introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

---

## A BILL

To amend title 49, United States Code, to expand passenger facility fee eligibility for noise compatibility projects.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. EXPANDED PASSENGER FACILITY FEE ELIGI-**  
4                       **BILITY     FOR     NOISE     COMPATIBILITY**  
5                       **PROJECTS.**

6       Section 40117(b) of title 49, United States Code, is  
7       amended by adding at the end the following:

8                       “(7)   NOISE     MITIGATION     FOR     CERTAIN  
9       SCHOOLS.—

1           “(A) IN GENERAL.—In addition to the  
2           uses specified in paragraphs (1), (4), and (6),  
3           the Secretary may authorize a passenger facility  
4           fee imposed under paragraph (1) or (4) at a  
5           large hub airport (as defined in section 47102)  
6           that is the subject of an amended judgment and  
7           final order in condemnation filed on January 7,  
8           1980, by the Superior Court of the State of  
9           California for the county of Los Angeles, to be  
10          used for a project to carry out noise mitigation  
11          for a building, or for the replacement of a  
12          relocatable building with a permanent building,  
13          in the noise impacted area surrounding the air-  
14          port where such building is used primarily for  
15          educational purposes, notwithstanding the air  
16          easement granted or any terms to the contrary  
17          in such judgment and final order, if—

18               “(i) the Secretary determines the  
19               building is adversely affected by airport  
20               noise;

21               “(ii) the building is owned or char-  
22               tered by the school district that was the  
23               plaintiff in Case No. 986,442 or Case No.  
24               986,446 that was resolved by such judg-  
25               ment and final order;

1 “(iii) the project is for a school identi-  
2 fied in the settlement agreements effective  
3 February 16, 2005, between the airport  
4 and the school districts;

5 “(iv) in the case of a project to re-  
6 place a relocatable building with a perma-  
7 nent building, the eligible project costs are  
8 limited to the actual structural construc-  
9 tion costs necessary to mitigate aircraft  
10 noise in instructional classrooms to an in-  
11 terior noise level meeting current stand-  
12 ards of the Federal Aviation Administra-  
13 tion; and

14 “(v) the project otherwise meets the  
15 requirements of this section for authoriza-  
16 tion of a passenger facility fee.

17 “(B) ELIGIBLE PROJECT COSTS.—In sub-  
18 paragraph (A)(iv), the term ‘eligible project  
19 costs’ means the difference between the cost of  
20 standard school construction and the cost of  
21 construction necessary to mitigate classroom  
22 noise to the standards of the Federal Aviation  
23 Administration.”.

○